

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHARLES MILLS, CRAIG SOTOMAYOR, and
BRADEN HOLLIDAY,

Plaintiffs,

23 CV 7460
(PAC)(OTW)

- against -

NEW YORK CITY, New York,

Defendant.
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**NOTICE OF MOTION TO DISMISS THE
COMPLAINT PURSUANT TO FEDERAL
RULES OF CIVIL PROCEDURE 12(B)(1) AND
12(B)(6)**

PLEASE TAKE NOTICE that, upon the annexed Memorandum of Law in Support of Motion to Dismiss the Complaint, dated December 8, 2023, the Declaration of Nicholas R. Ciappetta, dated December 8, 2023, and upon the Complaint and all prior papers and proceedings herein, the undersigned will move this Court before the Honorable Paul A. Crotty at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, for an order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure granting Defendant's motion to dismiss the Complaint.

PLEASE TAKE FURTHER NOTICE that, in accordance with the briefing set by the Court at the October 31, 2023 conference, Plaintiffs must serve opposition papers by no later than January 8, 2024 and Defendant must serve reply papers, if any, by no later than January 22, 2024.

Dated: New York, New York
December 8, 2023

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By:



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